

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 672,
2 Page 27, Section 321.322, Line 68, by inserting after all of said line the following:

3
4 "339.507. 1. There is hereby created within the division of professional registration the
5 "Missouri Real Estate Appraisers Commission", which shall consist of seven members appointed by
6 the governor with the advice and consent of the senate, six of whom shall be appraiser members, and
7 one shall be a public member. Each member shall be a resident of this state and a registered voter for
8 a period of one year prior to the person's appointment. The president of the Missouri Appraiser
9 Advisory Council in office at the time shall, at least ninety days prior to the expiration of the term of
10 the commission member, other than the public member, or as soon as feasible after the vacancy on
11 the commission otherwise occurs, submit to the director of the division of professional registration a
12 list of five appraisers qualified and willing to fill the vacancy in question, with the request and
13 recommendation that the governor appoint one of the five persons so listed, and with the list so
14 submitted, the president of the Missouri Appraiser Advisory Council shall include in his or her letter
15 of transmittal a description of the method by which the names were chosen by that association. The
16 public member shall have never been engaged in the businesses of real estate appraisal, real estate
17 sales or making loans secured by real estate.

18 2. The real estate appraiser members appointed by the governor shall be Missouri residents
19 who have real estate appraisal experience in the state of Missouri for not less than five years
20 immediately preceding their appointment. Appraiser members of the commission shall be appointed
21 from the registry of state-certified real estate appraisers and state-licensed real estate appraisers.
22 Real estate appraiser commission members, appointed after August 28, 2014, shall not be from the
23 same United States congressional district.

24 3. All members shall be appointed for three-year terms. All members shall serve until their
25 successors have been appointed and qualified. Vacancies occurring in the membership of the
26 commission for any reason shall be filled by appointment by the governor for the unexpired term.
27 Upon expiration of their terms, members of the commission shall continue to hold office until the
28 appointment and qualification of their successors. No more than four members of the commission
29 shall be members of the same political party. No person shall be appointed for more than two
30 consecutive terms. The governor may remove a member for cause.

31 4. The commission shall meet at least once each calendar quarter to conduct its business. A
32 quorum of the commission shall consist of four members.

33 5. Each member of the commission shall be entitled to a per diem allowance of fifty dollars
34 for each meeting of the commission at which the member is present and shall be entitled to
35 reimbursement of the member's expenses necessarily incurred in the discharge of the member's
36 official duties. Each member of the commission shall be entitled to reimbursement of travel

Action Taken _____ Date _____

1 expenses necessarily incurred in attending meetings of the commission.

2 6. The commission shall prepare an annual report outlining business conducted by the
3 commission during the previous calendar year and shall submit a copy to the general assembly by
4 April first of each year. The report shall include:

5 (1) The number of complaints that were filed against licensees;

6 (2) The number and disposition of investigations conducted by the commission pursuant to
7 the filing of a complaint; and

8 (3) An accounting of all expenditures of the commission.

9 339.531. 1. Any person may file a complaint with the commission alleging that a licensee
10 has committed any combination of the acts or omissions provided in subsection 2 of section 339.532.
11 A complaint shall be in writing and shall be signed by the complainant, but a complainant is not
12 required to specify the provisions of law or regulations alleged to have been violated in the
13 complaint.

14 2. Upon the receipt of a complaint against a licensee, the commission shall refer the
15 complaint to the probable cause committee. The commission shall appoint a probable cause
16 committee of four members, one of whom shall be a current member of the commission and three
17 past commission members selected by the commission. The probable cause committee shall serve in
18 an advisory capacity to the commission and review complaints and make a recommendation to the
19 commission regarding the disposition of the complaint. The commission shall provide by rule for the
20 selection process, length of committee member terms, and other procedures necessary for the
21 functioning of the committee.

22 3. Each complaint shall be considered a grievance until reviewed by the probable cause
23 committee. When a grievance is filed under subsection 1 of this section, a copy shall be provided to
24 the licensee, who shall have ten working days to respond documenting why the grievance may have
25 no merit. If the licensee responds within the allowable time, the probable cause committee shall
26 review the grievance and response. If the probable cause committee determines that the grievance
27 has no merit, the grievance shall be dismissed and no complaint shall be placed on the licensee's
28 record. If the probable cause committee determines that the grievance has merit, it shall present the
29 case to the commission, and the commission shall decide whether or not to proceed with an
30 investigation of the grievance as a complaint. If the commission decides to proceed with an
31 investigation of a complaint, at that time the complaint shall become a part of the licensee's record.

32 4. When the commission determines to proceed with a complaint against a licensee, the
33 commission shall investigate the actions of the licensee against whom the complaint is made. In
34 conducting an investigation, the commission may request the licensee under investigation to:

35 (1) Answer the charges made against him or her in writing;

36 (2) Produce relevant documentary evidence pertaining to the specific complaint causing the
37 investigation; and

38 (3) Appear before the commission.

39 5. A copy of any written answer of the licensee requested under subsection 4 of this section
40 may be furnished to the complainant, as long as furnishing the written answer does not require
41 disclosure of confidential information under the Uniform Standards of Professional Appraisal
42 Practice.

43 6. The commission shall notify the complainant and the licensee that an investigation has
44 been commenced within ten working days of the date of the commission's decision to proceed with a
45 complaint under subsection 4 of this section. The commission shall also notify and inform the
46 complainant and licensee of the status of the investigation every sixty days following the
47 commencement of the investigation. No investigation shall last longer than twelve months. Once an
48 investigation is closed or dismissed it shall not be reopened.

1 7. In the event that the commission fails to meet the notification and investigation
2 requirements of this section or does not finish the investigation within twelve months, then the
3 commission shall provide the complainant at the commission's expense with an appraisal and an
4 appraisal report of the real estate originally appraised by the licensee under investigation.

5 8. A real estate appraiser member of the commission shall recuse themselves from any
6 matter in which their knowledge of the parties, circumstances, or subject matter will substantially
7 affect their ability to be fair and impartial.

8 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
9 under the authority delegated in this section shall become effective only if it complies with and is
10 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
11 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
12 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
13 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
14 the effective date of this section shall be invalid and void."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.